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Date: April 14, 2004

Docket No.: 2801-0184PUS2

MS PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is a Request for filing a continuation of Application No. 10/356,591 filed February 3, 2003, which is continuation of U.S. Application No. 09/570,725 filed on May 15, 2000, which is a continuation of U.S. Application No. 08/829,562 (now U.S. Patent 6,253,762) filed on March 31, 1997, which is a continuation-in-part of Application No. 08/584,859 filed on January 5, 1996 (now abandoned), which is a continuation-in-part of Application No. 08/422,111 filed on April 14, 1995 (now abandoned). Application No. 08/829,562 is also a continuation of PCT International Application No. PCT/US96/05006 filed April 10, 1996, which designated the United States, which is a continuation-in-part of Application No. 08/584,859 filed on January 5, 1996 (now abandoned), which is a continuation-in-part of Application No. 08/422,111 filed on April 14, 1995 (now abandoned). The entire contents of each of the above-identified applications are hereby incorporated by reference;

by Ian C. ASHURST, Ignatius Loy BRITTO, Craig HERMAN, Li LI-BOVET, and Michael T. RIEBE

for PROCESS FOR MANUFACTURING A METERED DOSE INHALER

1. ☒ Enclosed is an application consisting of specification, claims, declaration and drawings/photographs (if applicable).
2. ☒ The filing fee has been calculated as follows:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$770.00	\$385.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	42-20 =	22	x18 = \$396.00	x 9 = \$0.00
INDEPENDENT CLAIMS	3-3 =	0	x86 = \$0.00	x 43 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290.00	+ \$145.00
TOTAL			\$1166.00	\$0.00

3. ☒ A check in the amount of \$1166.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. ☐ Enclosed is/are _____ (____) sheet(s) of formal drawings and/or photographs.
- 6a. ☐ A statement claiming small entity status was filed in prior Application No. _____ on _____. See the attached copy of the statement claiming small entity status.
- 6b. ☐ The current application qualifies for small entity status.
7. ☒ The prior application is assigned to SmithKline Beecham Corp.
8. ☒ A Preliminary Amendment is enclosed.
- 9a. ☒ Priority of Application Nos. 10/356,591; 09/570,725; 08/829,562; 08/584,859; and 08/422,111 filed in the United States on February 3, 2003; May 15, 2000; March 31, 1997; January 5, 1996; and April 14, 1995, respectively, is claimed under 35 U.S.C. § 120.

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- 9b. ☒ Priority of International Appln. PCT/US96/05006 filed on April 10, 1996 under the Patent Cooperation Treaty and U.S. Application No. 08/584,859 filed in the United States on January 5, 1996 under 35 U.S.C. § 119 is hereby reclaimed.
10. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
11. ☒ Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

or
Customer No. 02292
12. ☐ An extension of time for _____ () month(s) until _____ has been submitted in parent Application No. _____ in order to establish co-pendency with the present application.
13. ☐ Also enclosed herewith is the following:

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By mp and B.0540,069
Gerald M. Murphy, Jr. #28,977

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Attachment(s)

(Rev. 02/13/2004)